

Appl. No. : 10/052,164
Filed : January 17, 2002

or (3) the product as claimed can be used in a materially different process of using the product or (4) the sub-combination can be used in a materially different way (MPEP § 806.05(h)). The Office Action asserts that in the instant case, (1) the anchoring assembly could be used to secure a portable volleyball net; (2) the method of manufacturing the apparatus could be used with a standard sized support pole; and (3) the method of use claimed could be used to secure one of two volleyball standards. The Office Action concludes that because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

In response, Applicants elect, without traverse, to proceed with the examination directed towards Invention I, Claims 1-12. Accordingly, as set forth above, Applicants cancelled Claims 13-45 without prejudice. In addition, Applicants added new Claims 46-66, which are directed towards the elected invention, in order to further define and/or clarify the claimed invention. Thus, the examination on the merits should proceed in connection with Claims 1-12 and 46-66.

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Applicants believe that the foregoing provisional election fully responds to the imposed restriction requirement. If, however, the Examiner believes that any additional issues remain or require clarification, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

Respectfully submitted,

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Dated: June 10, 2003

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Creation date: 03-03-2004
Indexing Officer: JPERRY - JONATHAN PERRY
Team: OIPEBackFileIndexing
Dossier: 10052164

Legal Date: 06-02-2003

No.	Doccode	Number of pages
1	SRNT	4

Total number of pages: 4

Remarks:

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